

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.22942 OF 2005

Dt.25.10.2005

Between:

B.Balagoud s/o.Rajagoud ... Petitioner

And

The Prohibition and Excise Superintendent, Medak,

Medak District and another ... Respondents

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Prohibition and Excise.

The petitioner questions the suspension of the licence in respect of counter No.4 of T.F.T licence of Kanapur Village, Ramayampet Mandal, Medak District. It is stated that in fact no sample has been taken from counter No.4 and the excise officer inspected counter No.3 alone who is said to have been produced copies of licence of counter No.2 as well as counter No.4 and the toddy tested from counter No.3 was

found adulterated with Chloral Hydrate and therefore the suspension of T.F.T licence in respect of shop No.4 is illegal and against the principles of natural justice.

The suspension of licence pending enquiry is only an interim measure and it is not a final order. However, the petitioner has filed an appeal before the Deputy Commissioner, Excise and Prohibition, Medak. Having regard to the facts and circumstances of the case, without expressing any opinion on the merits of the case, the writ petition is disposed of directing the Deputy Commissioner, Excise and Prohibition, Medak, to consider and dispose of the appeal filed by the petitioner as expeditiously as possible. No costs.

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(V.ESWARAIAH, J.)

25.10.2005

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